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September 22, 2022

Via: ECF

Honorable Paul A. Engelmayer
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: 1086 Luna Deli Corp., et al. v. United States et al.
No. 22 Civ 8054 (PAE)

Dear Honorable Judge Engelmayer:

The undersigned represents the Plaintiffs 1806 LUNA DELI GROCERY CORP. and FERNANDO R. RODRIGUEZ ("Plaintiffs"), in the above referenced matter. Plaintiffs filed an Amended Complaint on September 21, 2022, and an Emergency Motion for a Temporary Restraining Order and Preliminary Injunction by Order to Show Cause, dated September 21, 2022 (ECF No. 2).

The United States and the USDA ("Defendants") have agreed to stay the six-month disqualification of the Plaintiff's participation in the SNAP program pending the final disposition of this case. Plaintiffs respectfully request this honorable court to withdraw the emergent motion filed as ECF No. 2 without prejudice. This request is in the interest of preserving judicial resources and coming to an expeditious resolution of this matter.


Dated: September 22, 2022

Thank you for your consideration in this matter,

Respectfully Submitted, SO ORDERED.


George A. Ortiz

Granted. The Clerk of Court is respectfully directed to terminate the motion pending at Dkt. 2.



PAUL A. ENGELMAYER
United States District Judge
September 23, 2022